

Circuit Court

MISSION STATEMENT

The mission of the Circuit Court is to serve the Sixth Judicial Circuit residents in the determination of litigation in serious criminal matters and more substantive civil cases in accordance with the Constitution; to administer justice in a fair, timely, and efficient manner; and to adjudicate domestic and child support cases.

BUDGET OVERVIEW

The total recommended FY06 Operating Budget for the Circuit Court is \$11,407,080, an increase of \$1,371,310 or 13.7 percent from the FY05 Approved Budget of \$10,035,770. Personnel Costs comprise 77.7 percent of the budget for 97 full-time positions and 14 part-time positions for 104.6 workyears. Operating Expenses and Capital Outlay account for the remaining 22.3 percent of the FY06 budget.

HIGHLIGHTS

- ❖ *Replace a 12-year old Docket Information System with an advanced system capable of color-coding message updates facilitating a seamless updating of hearing case schedules.*
- ❖ *Replace six four-year old digital recording servers to ensure the continuity of courtroom sessions.*
- ❖ *Productivity Enhancements*
 - *The Circuit Court of Montgomery County completed a state-wide audit on calendar year 2003 performance data. The performance of Montgomery County Circuit Court exceeded all comparisons in five categories: civil, criminal, domestic [one year], domestic [two years], and juvenile.*

PROGRAM CONTACTS

Contact Pamela Harris of the Circuit Court at 240.777.9100 or Belinda M. Bunggay of the Office of Management and Budget at 240.777.2794 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

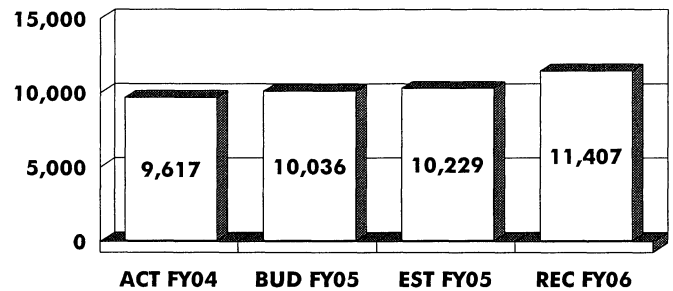
Administration

The Administrative Office of the Circuit Court serves as a conduit for many operations of the court. The Court Administrator's role is to facilitate the administrative functions of the court and to develop policies to enhance systems performance while maintaining the independence of the judiciary. Basic functions performed by the Court Administrator and staff include the following: Fiscal Administration of the

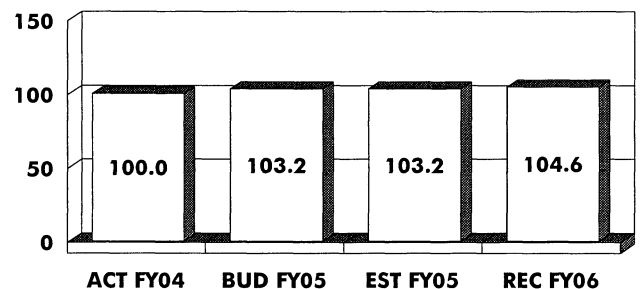
Program Summary

	Expenditures	WYs
Administration	2,381,900	3.4
Adjudication	2,390,370	29.0
Family Masters	875,680	9.0
Case Assignment	916,270	13.0
Jury	719,900	4.0
Family Services Support	710,150	8.0
Technical Services	702,470	10.0
Law Library	448,430	3.0
Trust and Guardianships	163,430	2.5
Grants	2,098,480	22.7
Totals	11,407,080	104.6

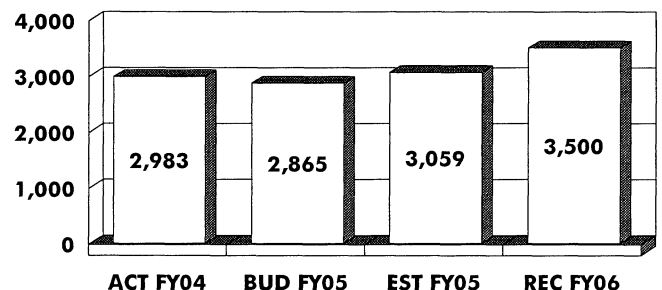
Trends



EXPENDITURES [\$000s]



WORKYEARS



RELATED REVENUES [\$000s]

budget; Human Resources; Caseflow Management and Statistics; Technology Management; Information Management; Jury Management; Space Management; Intergovernmental liaison; and Public Information.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	1,667,540	3.2
FY06 CE Recommended	2,381,900	3.4

Adjudication

Adjudication encompasses support staff for the judiciary and Differentiated Case Management (DCM). Conceptually, this division monitors case assignment (criminal, civil, and family cases), provides expedited case disposition for incarcerated offenders; and provides judicial supervision consistent with complexity of each case filed. Adjudication/DCM improves the efficiency of case processing and reduces the demand for judicial intervention at various stages of litigation. To minimize case delay, each case is assigned to an appropriate track assignment that allows for the performance of pre-trial tasks and allocates the appropriate level of judicial intervention. Tracks are monitored for performance and are evaluated with the Circuit Court Program Measures.

The goals and objectives of this division are to protect and serve the best interests of the children and families in our community; provide a means by which litigants become aware of their rights and responsibilities and have access to information to assist them with judicial procedures; provide continuity of case management; require compliance with the Family Division Differentiated Case Management guidelines; and to preside over hearings limited to one day or less.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	2,365,790	29.0
FY06 CE Recommended	2,390,370	29.0

Family Masters

Family Masters Division handles adoption investigations and child custody/visitation evaluations. After the establishment of a Court Order, independent evaluations for child custody/visitation and adoption investigations are conducted by court staff possessing substantial experience in social science or suitable credentials in the field of social work. The evaluator meets with the litigants and children and conducts interviews with professionals and collateral references to ascertain the appropriate custodial situation for the children.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	820,630	9.0
FY06 CE Recommended	875,680	9.0

Case Assignment

The Assignment Office schedules and maintains all hearings, trials, and motion dates as well as special docket dates for

Judges and Family Masters. The Assignment Office maintains all scheduling information related to: Criminal Indictment and Information; Criminal Jury Demands and Appeals; Civil, Juvenile and Family trial assignment; Civil, Family and Juvenile Motions; and Bench Warrants. The Assignment Office also manages all court sheet information, locates all files for assigned calendars, reviews each file, and delivers files to various court-hearing rooms.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	836,130	13.0
FY06 CE Recommended	916,270	13.0

Jury

The Jury Office manages prospective and active jurors for civil and criminal proceedings. In accordance with Maryland Courts and Judicial Proceedings, Title 8, every citizen has the opportunity to serve as a juror and the obligation to serve when summoned. The Jury Commissioner and staff dispatch questionnaires to prospective jurors from information gathered from the lists of Voter Registration and Motor Vehicle Administration. The commissioner maintains a qualified jury pool from the individuals who are determined to be qualified as jurors under Maryland Courts & Judicial Proceedings § 8-207.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	700,300	4.0
FY06 CE Recommended	719,900	4.0

Family Services Support

Family Services Support handles adoption investigations and child custody/visitation evaluations. After the establishment of a Court Order, independent evaluations for child custody/visitation and adoption investigations are conducted by court staff possessing substantial experience in social science or suitable credentials in the field of social work. The evaluator meets with the litigants and children and conducts interviews with professionals and collateral references to ascertain the appropriate custodial situation for the children.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	727,630	8.0
FY06 CE Recommended	710,150	8.0

Technical Services

Technical Services manages the central recording location that electronically records all courtroom and hearing room proceedings for the Judicial Center and Gray Courthouse. All Video Conferencing between the Circuit Court, District Court, Montgomery County Detention Center (MCDC), and Montgomery County Correctional Facility (MCCF) is handled through this division. This equipment is used on a daily basis in order to conduct bond hearings via a video connection. Copies of court transcripts and cassettes are purchased through this division. The Court's Website and internal servers for the Court

and Clerk's Office are administered by Technical Services.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	661,490	10.0
FY06 CE Recommended	702,470	10.0

Law Library

The Law Library supports the research activities of the court, local bar association and public. The law library's collection of American Law is comprehensive in scope. In addition to Maryland and Federal materials, the collection includes the National Reporter System as well as a variety of books needed for the practice of law in Maryland. Library staff is available to answer questions regarding the library and its collection. Assistance with research is limited to directing patrons to appropriate sources. Library staff does not perform legal research, render legal opinions, or comment on court procedures.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	432,930	3.0
FY06 CE Recommended	448,430	3.0

Trust and Guardianships

The Trust Office administers the case files for fiduciary entities, which consist primarily of guardianships, required to comply with the reporting requirements set forth in the Maryland Court Rules, Title 10, Guardians and Other Fiduciaries. The reports required to be filed include the Inventory and Information Report and Annual Fiduciary Report for guardianships of the property of a minor or disabled person and the Annual Report for guardianships of the person of a disabled person. The Trust Clerk examines the Annual Fiduciary Reports filed and prepares the Report of Trust Clerk for the court.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	160,150	2.5
FY06 CE Recommended	163,430	2.5

Grants

The Family Grant is supported by state funding and provides services to families so that the process reduces conflict and introduces the parties involved in litigation to problem-solving techniques to help reduce future litigation. This program provides for: case managers that provide day-to-day management of cases between Family Masters, judges, counsel and litigants; Custody Mediation involving litigants in an effort to obtain a settlement of custody issues prior to litigation; Pro Se Project staffed by attorneys and paralegals to help individuals representing themselves in uncomplicated family law cases involving divorce, custody and child support; Supervised Visitation providing for a structured setting for visitation between children and their parents; Psychological Evaluations are conducted when psychological testing is necessary as an adjunct to arriving at a decision in the best interest of the children; Guardian ad litem appointments to

specifically represent the interests of children; and operating expenses associated with managing the division.

The Montgomery County Juvenile Drug Court is collaborative partnership sponsored by the Montgomery County Circuit Court with other law enforcement agencies, the healthcare treatment system, the education system, and criteria-eligible juveniles and their families to provide rapid intervention, treatment and structure in the lives of juveniles who use alcohol and other drugs. The Project will: (I) improve the educational effectiveness of the court process by expanding prosecutorial, defender and judicial resources and implementing court delay reduction programs; (ii) provide programs that identify and meet the treatment needs of adults and juvenile drug-dependent and alcohol-dependent offenders; and (iii) implement innovative programs that demonstrate new and different approaches to enforcement, prosecution and adjudication of drug offenses and other serious crimes.

The Montgomery County Adult Drug Court Program is a voluntary program that offers a new opportunity to offenders who require a more intensive focus on treatment and monitoring, and who may benefit from more direct attention from the Court. It is a program that is completed in three phases and can extend anywhere from 9-18 months depending on the offender's progress. Over the course of the participation in the Program, the offender will be involved in individual and group therapy, regular meetings with a Case Manager, random drug testing, case supervision and monitoring, and participation in regular sessions of the Drug Court.

FY06 Recommended Changes

	Expenditures	WYs
FY05 Approved	1,663,180	21.5
FY06 CE Recommended	2,098,480	22.7

BUDGET SUMMARY

	Actual FY04	Budget FY05	Estimated FY05	Recommended FY06	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	4,642,146	5,080,240	5,080,240	5,379,660	5.9%
Employee Benefits	1,328,914	1,476,940	1,476,940	1,641,240	11.1%
County General Fund Personnel Costs	5,971,060	6,557,180	6,557,180	7,020,900	7.1%
Operating Expenses	1,938,308	1,815,410	1,965,410	2,092,700	15.3%
Capital Outlay	0	0	0	195,000	—
County General Fund Expenditures	7,909,368	8,372,590	8,522,590	9,308,600	11.2%
PERSONNEL					
Full-Time	82	83	83	82	-1.2%
Part-Time	8	7	7	7	—
Workyears	78.5	81.7	81.7	81.9	0.2%
REVENUES					
Circuit Court Domestic Relations Fee	121	0	0	0	—
Juror Fees State Reimbursement	359,760	400,000	400,000	400,000	—
Masters Salary Reimbursement	516,957	552,000	552,000	552,000	—
Interpreter Fees State Reimbursement	398,939	250,000	400,000	450,000	80.0%
County General Fund Revenues	1,275,777	1,202,000	1,352,000	1,402,000	16.6%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	982,490	1,118,610	1,118,610	1,464,720	30.9%
Employee Benefits	408,496	319,680	319,680	380,330	19.0%
Grant Fund MCG Personnel Costs	1,390,986	1,438,290	1,438,290	1,845,050	28.3%
Operating Expenses	316,655	224,890	268,230	253,430	12.7%
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	1,707,641	1,663,180	1,706,520	2,098,480	26.2%
PERSONNEL					
Full-Time	16	16	16	15	-6.2%
Part-Time	8	8	8	7	-12.5%
Workyears	21.5	21.5	21.5	22.7	5.6%
REVENUES					
Family Law Grant	1,707,641	1,663,180	1,706,520	1,706,520	2.6%
State Grant - Juvenile Drug Court Program	0	0	0	118,830	—
State Grant - Adult Drug Court Program	0	0	0	273,130	—
Grant Fund MCG Revenues	1,707,641	1,663,180	1,706,520	2,098,480	26.2%
DEPARTMENT TOTALS					
Total Expenditures	9,617,009	10,035,770	10,229,110	11,407,080	13.7%
Total Full-Time Positions	98	99	99	97	-2.0%
Total Part-Time Positions	16	15	15	14	-6.7%
Total Workyears	100.0	103.2	103.2	104.6	1.4%
Total Revenues	2,983,418	2,865,180	3,058,520	3,500,480	22.2%

FY06 RECOMMENDED CHANGES CROSSWALK

	Expenditures	WYs
COUNTY GENERAL FUND		
FY05 ORIGINAL APPROPRIATION	8,372,590	81.7
<u>Changes (with service impacts)</u>		
Enhance: State Interpreter Reimbursement [Administration]	200,000	0.0
Add: Data Visualization Software for Case Management System [Administration]	9,850	0.0
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY06 Compensation	272,930	0.0
Increase Cost: Replace Four-Year Old Circuit Court Digital Recording Servers [Administration]	90,000	0.0
Increase Cost: Replace 12-Year Old Court Docket Information Display System [Administration]	81,000	0.0
Increase Cost: Annualization of FY05 Personnel Costs	63,250	0.2
Increase Cost: FY06 Retirement Rate Adjustments	62,780	0.0
Increase Cost: FY06 Group Insurance Rate Adjustments	61,850	0.0
Increase Cost: Purchase Digital Recording Client Licenses [Administration]	24,000	0.0
Increase Cost: Central Duplication Services	17,400	0.0
Increase Cost: Miscellaneous Operating Expenses [Administration]	10,750	0.0
Increase Cost: Records Management	10,680	0.0
Increase Cost: Jury Lounge Facility Maintenance [Administration]	9,830	0.0
Increase Cost: Consultant Services and Contracts [Administration]	7,460	0.0
Increase Cost: Communication Services Local Telephone Service Charges [Administration]	7,100	0.0
Increase Cost: Office Supplies and Equipment [Administration]	6,520	0.0
Increase Cost: Equipment Maintenance and Repairs [Administration]	6,000	0.0
Increase Cost: Other Professional Services [Administration]	2,000	0.0
Increase Cost: Motor Pool Charges [Administration]	610	0.0
Decrease Cost: Elimination of One-Time Items Approved in FY05 [Administration]	-8,000	0.0
FY06 RECOMMENDATION:	9,308,600	81.9
GRANT FUND MCG		
FY05 ORIGINAL APPROPRIATION	1,663,180	21.5
<u>Changes (with service impacts)</u>		
Add: Adult Drug Court Program [Grants]	273,130	3.0
Add: Juvenile Drug Court Program [Grants]	118,830	0.0
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Family Law Grant [Grants]	43,340	0.0
Decrease Cost: Technical Adjustment	0	-1.8
FY06 RECOMMENDATION:	2,098,480	22.7

FUTURE FISCAL IMPACTS

Title	CE REC. FY06	FY07	FY08	(\$000's) FY09	FY10	FY11
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY06 Recommended	9,309	9,309	9,309	9,309	9,309	9,309
No inflation or compensation change is included in outyear projections.						
Elimination of One-Time Items Recommended in FY06	0	-410	-410	-410	-410	-410
Items recommended for one-time funding in FY06, including Digital Recording Servers, Docket Information Display System, Digital Recording Client Licenses, State Interpreter Reimbursement, Records Management, and Data Visualization Software for Case Management System, will be eliminated from the base in the outyears.						
Labor Contracts	0	400	471	471	471	471
These figures represent the annualization of FY06 increments, general wage adjustments, and associated benefits. Estimated compensation (e.g., general wage adjustment and service increments) for personnel are included for FY07 and beyond.						
Subtotal Expenditures	9,309	9,298	9,370	9,370	9,370	9,370

CIRCUIT COURT

PROGRAM: Management and Adjudication of Civil Cases	PROGRAM ELEMENT:				
PROGRAM MISSION: To administer justice in a fair, timely, and efficient manner when adjudicating civil matters					
COMMUNITY OUTCOMES SUPPORTED: <ul style="list-style-type: none">• Provide for fair and timely administration of justice• Foster respect for the law					
PROGRAM MEASURES	FY02 ACTUAL	FY03 ACTUAL	FY04 ACTUAL	FY05 BUDGET	FY06 CE REC
Outcomes/Results:					
Civil judgments entered	1,176	1,330	1,192	1,330	1,330
Civil cases terminated (resolved) ^g	11,668	12,029	11,838	12,029	12,029
Civil cases resolved through Alternative Dispute Resolution	432	472	427	472	472
Service Quality:					
Average time to dispose of civil cases ^b (days)					
Track NT - Little or no trial time necessary (<i>target - 165 days</i>) ^c	116	130	147	165	165
Track 0 - No discovery necessary (<i>target - 167 days</i>)	141	141	136	167	167
Track 2 - 1/2 to 1 day trial estimate (<i>target - 271 days</i>)	202	199	199	271	271
Track 3 - 1 to 3 day trial estimate (<i>target - 416 days</i>)	306	309	317	416	416
Track 4 - 3 day trial or more (<i>target - 481 days</i>)	431	389	442	481	481
Track 5 - Business and Technology expedited(<i>target - 210 days</i>) ^h	NA	NA	59	210	210
Track 6 - Business and Technology standard(<i>target - 540 days</i>) ^h	NA	NA	190	540	540
Overall average time for disposition of civil cases (all cases and tracks)	184	189	200	233	233
Efficiency:					
Cases terminated per staff year (civil, criminal, family, and juvenile) ^d	327	335	347	351	346
Average cost per case terminated (civil, criminal, family, and juvenile) (\$) ^d	248	258	228	277	315
Workload/Outputs:					
Civil cases filed ^f	11,866	11,893	11,487	11,893	11,893
Civil hearings held	5,496	5,798	5,646	5,798	5,798
Civil trials by jury	166	166	158	166	166
Civil trials by judge	146	166	152	166	166
Civil cases ordered to Alternative Dispute Resolution	504	577	575	577	577
Civil cases filed as a percentage of total Circuit Court filings	33.0	33.0	32.9	33.0	33.0
Total Circuit Court filings (civil, criminal, family, and juvenile)	35,915	36,038	34,942	36,038	36,038
Total Circuit Court terminations (civil, criminal, family, and juvenile) ^d	35,773	36,175	34,708	36,175	36,175
Inputs:					
Workyears ^d	109.3	108.1	^f 100.0	103.2	104.6
Expenditures (\$000) ^{d,e}	8,879	9,326	7,909	10,036	11,407
Notes:					
^a Civil terminations include cases that are tried, dismissed, settled, or administratively closed due to lack of prosecution.					
^b For civil cases, the disposition time is measured from initial filing to disposition (i.e., trial, settlement, or dismissal).					
^c The figures in italics represent targets (guidelines) for the time to dispose of civil cases when using the given track. Cases that were formerly classified as Track 1 represent family cases and are reported under the "Management and Adjudication of Family Cases" program.					
^d Workyears, expenditures, and the corresponding efficiency measures include the processing of civil, criminal, family and juvenile cases because it is not feasible to separate expenditures and workyears by type of case. (Staff responsibilities and case processing are not organized by type of case: one person may process several types of cases.) Because workyears and expenditures cannot be split by type of case, both efficiency measures are based on the total Circuit Court terminations: civil, criminal, family, and juvenile (this total is shown for reference under "Workload/Outputs").					
^e Expenditures include the Family Grant, which partially funds the Juvenile Division.					
^f The State of Maryland assumed the funding for the judicial law clerks, resulting in a permanent decrease in workyears starting in FY04.					
^g Civil filing data include the Register of Wills caseload.					
^h Tracks 5 and 6 were added in October 2003 for Business and Technology cases.					
EXPLANATION:					
One of the Circuit Court's primary functions is the adjudication of civil cases. The Court has integrated the Differentiated Case Management (DCM) concept into the daily operations of all units supporting the Circuit Court's functions. DCM is an approach designed to improve the efficiency of case processing and reduce the demand for judicial intervention (continuances, hearings, etc.) at every phase of litigation. Mechanisms have been designed to avoid multiple court appearances and assure the timely provision of resources for the expeditious processing and resolution of cases on each track.					
The results for the average time to dispose of cases are based on cases that were disposed in the given fiscal year, regardless of the date on which a case was filed. Timely case termination based upon track guidelines depends upon the availability of sufficient resource levels in the Circuit and District Court, the Public Defender's Office, Parole and Probation, and the State's Attorney. Criminal litigation takes precedence over civil litigation as criminal cases must be tried within 180 days from the Rule 4-215 hearing.					
PROGRAM PARTNERS IN SUPPORT OF OUTCOMES: Clerk of the Circuit Court, Maryland and Montgomery County bar associations.					
MAJOR RELATED PLANS AND GUIDELINES: State legislative mandates, Maryland Rules of Procedure, Maryland Annotated Code, Montgomery County Code, Court of Appeals of Maryland.					